



JUN. 24. 2005 4:21PM

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NO. 9289 P. 2

EPFED / B

MS ISSUE FEE  
PATENT  
4614-0107P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): STEINAA, Lucilla et al.

Conf.: 5928

Appl. No.: 09/806,703

Group: 1644

Filed: June 30, 2001

Examiner: DIBRINO, M

For: NOVEL METHODS FOR THERAPEUTIC VACCINATION

LETTER REQUESTING INITIALED PTO 1449 FORM(S)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 24, 2005

Sir:

In reviewing the above-captioned application file upon allowance, the undersigned has noted that PTO Form 1449, submitted on April 26, 2001, May 23, 2001 and May 11, 2005 were acknowledged by the Patent and Trademark Office. However, the references have not been initialed by the Examiner.

In the Office Action issued on January 2, 2004, the Examiner states that the references were listed on the PTO-1449 form were not submitted by the Applicants. Applicants enclose copies of the postcards submitted with the Information Disclosure Statements which indicates that the references were indeed received by the U.S. Patent Office. In addition, Applicants enclose a copy of the Image File Wrapper print out from the Patent Application Information Retrieval (PAIR) which shows that the documents were received and scanned into the system.

The Information Disclosure Statement submitted on May 11, 2005 was also received by the Patent Office on May 16, 2005, but Applicants have not received communication that the references submitted have been considered. The enclosed PAIR Image File Wrapper print out and print out of the first page of the IDS mentioned indicates

Application No.: 09/806,703

its receipt by the Patent Office. These references were submitted because they were first cited by the EPO less than 3 months prior to the filing of the IDS.

In addition, the Examiner stated that no PTO-1449 form was received for the IDS submitted on May 14, 2004 and that these references were also not submitted. Applicants enclose, however, a copy of the date-stamped postcard submitted with the IDS which clearly indicates that the PTO 1449 was included with the four references. The PTO did not alter the description of contents, indicating that all four references as well as the PTO 1449 form was indeed received. Consequently, the loss of these items was due to PTO error and not Applicant's error. As such, these references should be examined by the Examiner and Applicants respectfully request return of the initialed form prior to the deadline for payment of the issue fee on June 30, 2005.

The Patent and Trademark Office therefore is requested to initial and return the enclosed PTO-1449 forms to the undersigned as soon as possible.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

**Certificate of Transmittal**  
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Trademark Office:

On June 24, 2005  
[Signature]  
Signature  
SANDRA B. PAULS  
Typed or printed name of person signing certificate

By:

[Signature] #147,604  
for Leonard R. Svensson  
Registration No. 30, 330

P.O. Box 747  
Falls Church, VA 22040-0747  
(714) 708-8555

/sbp  
4614-0107P

Enclosures: As noted



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Phone: (714) 708-8555  
Fax: (714) 708-8565

**Birch, Stewart,  
Kolasch & Birch, LLP**

# Fax

<b>To:</b>	Examiner Marianne Dibrino	<b>From:</b>	Leonard R. Svensson
<b>Fax:</b>	(703) 746-4000	<b>Pages:</b>	26 including cover sheet
<b>Phone:</b>		<b>Date:</b>	June 24, 2005
<b>Your Ref.:</b>	Application No. 09/806,703	<b>Our Ref.:</b>	4614-0107P
<b>Re:</b>	Letter Requesting Initialed PTO 1449 Forms	<b>CC:</b>	

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

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NO. 9289 P. 4



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*Box 1 CD*

MS ISSUE FEE  
PATENT  
4614-0107P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: STEINAA, Lucilla et al. Conf.: 5928  
Appl. No.: 09/806,703 Group: 1644  
Filed: April 30, 2001 Examiner: DIBRINO, M  
For: METHODS FOR THERAPEUTIC VACCINATION

INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION AFTER NOTICE OF ALLOWANCE  
BUT PRIOR TO PAYMENT OF THE ISSUE FEE)

U.S. Patent and Trademark Office  
Customer Service Window - MS ISSUE FEE  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

May 11, 2005

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449, attached hereto.

II. COPIES

- a. ☒ A CD-Rom is attached which contains thereon copies of all references listed on the attached PTO-1449 Form, including U.S. patents.

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a. ☒ DOCUMENTS IN THE ENGLISH LANGUAGE

The patents, publications, or other information

05/18/2005 HBLAND 00000003 022448 09806703  
01 FC:1806 180.00 DA

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NO. 9289 P. 5

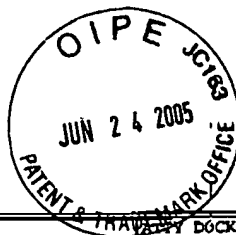
Sheet 1 of 1 (5/11/05)

Form PTO-1449				ATTY. DOCKET NO. 4614-0107P		APPLICATION NO. 09/806,703			
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary)				APPLICANT STEINAA, Lucilla		GROUP 1644			
				FILING DATE April 30, 2001					
<b>U.S. PATENT DOCUMENTS</b>									
EXAMINER INITIAL	DOCUMENT NUMBER	Kind	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE		
	US 5,736,142		April 7, 1998	Sette et al.					
	US								
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<b>FOREIGN PATENT DOCUMENTS</b>									
	Office	DOCUMENT NUMBER	Kind	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
								YES	NO
	WO	99/40188	A2	1999-08-12	PCT				
	WO	99/10375	A2	1999-03-04	PCT				
	WO	98/56919	A2	1998-12-17	PCT				
<b>OTHER DOCUMENTS</b> (Include Name of the Author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)									
	WIDMANN, C. et al., "T helper epitopes enhance the cytotoxic...", Journal of Immunological Methods, 155 (1992). pp. 95-99.								
	ALEXANDER, J. et al., "The optimization of helper t lymphocyte...", Immunologic Research 1998:18/2. pp. 79-92.								
	STOUTE, J. et al., "A preliminary evaluation of a recombinant...", The New England Journal of Medicine, 1997, Vol. 336 (2).pp. 86-91.								
	HANKE, T et al., "DNA multi-CTL epitope vaccine...", Vaccine, 1998, Vol. 16, No. 4, pp. 426-435.								
	GILBERT, S. et al., A protein particle vaccine containing multiple..., Nature Biotechnology, Nov. 1997, Vol. 15, pp. 1280.								
EXAMINER					DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.									

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Sheet 1 of 1 (5/23/01)

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Sheet 1 of 11 (4/26/01)

## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

ATTY DOCKET NO.  
3631-109P

APPLICATION NO.  
09/806,703

APPLICANT  
STEINNA, Lucilla et al.

FILING DATE  
April 4, 2001

GROUP	unassigned
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## U.S. PATENT DOCUMENTS

[illegible]

# FOREIGN PATENT DOCUMENTS

[illegible]

## OTHER DOCUMENTS

**OTHER DOCUMENTS** (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume- issue number(s), publisher, city and/or country where published.)

	YANG, Xiao-Dong et al.; "Eradication of.." Cancer Research 59 1236-1243, 3-15-99
	KASS, Erik et al.; "Induction of.." Cancer Research 59, 676-683, 2-1-99
	VONDERHEIDE, Robert H. et al; The Tolerance.."Immunity Vol. 10, 673-679 June 1999
	KIKUCHI, Megumi et al.; "Indentification of a .."Int. J. Cancer: 81.459-466 1999
	MARCHAND, Marie et al.; "Tumor Regressions.."Int. J. Cancer: 80. 219-230 1999
	SANDMAIER, Brenda et al.; "Evidence of.."Journal of Immunotherapy 22(1):54-66 1999

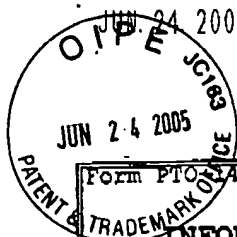
**EXAMINER**

DATE CONSIDERED

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Sheet 2 of 11 (4/26/01)

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[illegible]

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Sheet 4 of 11 (4/26/01)

[illegible]

LRS/clh

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[illegible]

LAS/clh

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[illegible]

LRS/clh

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[illegible]

LAS/clb

[illegible]

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Sheet 9 of 11 (4/26/01)

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LAS/clh

Sheet 10 of 11 (4/26/01)

[illegible]

LRS/clh



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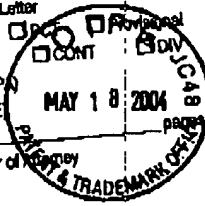
Sheet 11 of 11 (4/26/01)

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Papers Filed herewith on: May 14, 2004  
 DOCKET NO.: 4614-0107P ATTY: US/658  
 APPLICANT(S): STEINBA, Lucille  
 APPL. NO.: 09/180,703 FILED: Apr 130, 2001  
 PAT NO.: \_\_\_\_\_

☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(PCE)  
☐ Specification Consisting of: \_\_\_\_\_  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-ink  
☐ Completion of Filing Requirements, PCT/DO/EC/905  
 or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment: \_\_\_\_\_  
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity  
☐ Response \_\_\_\_\_ doc(s)  
☒ Information Disc Stmt, PTO-1449(s) ☐ Appeal Brief  
☐ Notice of Appeal ☐ Sequence Listing  
☐ Issue Fee Transmittal  
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☐ Letter: \_\_\_\_\_  
☐ Other: \_\_\_\_\_



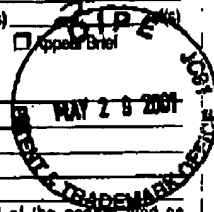
DOCKET NO. 4614-0107P

Receipt is hereby acknowledged of the papers filed as  
 indicated in connection with the above identified case.  
 COMMISSIONER OF PATENTS AND TRADEMARKS  
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Papers Filed herewith on: 5-24-01  
DOCKET NO.: 3631-109P ATTY: LRB/SWB  
APPLICANT(S): Steinag, Lucilla et al  
APPL. NO: 07/826, 203 FILED: 4-4-01  
PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(PCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
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☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
or Formalize Letter and Executed Declaration  
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☐ Amendment:  
☐ Transmittal ☐ Large Entity ☐ Small Entity  
☐ Response  
☒ Information Disc. Stmt. PTO-1449(s)  
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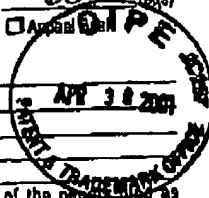
Papers Filed herewith on:

DOCKET NO.: 3631-1099 ATTY: LPSAPPLICANT(S): Stemco Lucilla et alAPPL. NO: 09/806,705 FILED: 9-8-01

PAT NO.:

- ☐ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114(PCE)  
☐ Specification Consisting of: \_\_\_\_\_ pages  
☐ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings \_\_\_\_\_ Sheets ☐ Formal ☐ Informal ☐ Red-ink  
☐ Completion of Filing Requirements, PCT/DO/EO/906  
 or Formalities Letter and Executed Declaration  
☐ Priority Document(s) / Cover Letter, No. Doc. \_\_\_\_\_  
☐ Amendment:  
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity  
☐ Response  
☒ Information Dtd Stmt. PTO-1449(s) 65 (s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal  
☐ FEES: \_\_\_\_\_  
☐ Letter: \_\_\_\_\_  
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DOCKET NO.

3631-1099

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### Image File Wrapper for Application No.:09/806,703

**NEW** Changes to IFW!

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download the desired document(s) and click Download.

Mail Room Date	Document Description	Document Category	Page Count	All
06/03/2005	Miscellaneous Internal Document	PROSECUTION	1	
05/18/2005	Information Disclosure Statement (IDS): Filed	PROSECUTION	5	
05/16/2005	Artifact sheet indicating an item has been filed which cannot be scanned	PROSECUTION	1	
04/27/2005	Information Disclosure Statement (IDS): Filed	PROSECUTION	3	
04/11/2005	Miscellaneous Incoming Letter	PROSECUTION	3	
03/31/2005	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3	
03/31/2005	List of references cited by examiner	PROSECUTION	1	
03/31/2005	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	5	
03/31/2005	Examiner Interview Summary Record (PTOL - 413)	PROSECUTION	2	
03/31/2005	Amendment After Final or under 37CFR 1.312, initialed by the examiner.	PROSECUTION	1	
03/31/2005	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1	
03/31/2005	Search Information including classification, databases and other search related notes	PROSECUTION	1	
03/15/2005	Authorization from Applicant to treat all replies as Incorporating Extension of Time, and charge all fees to a deposit account	PROSECUTION	3	
03/15/2005	Notice of Appeal Filed	PROSECUTION	3	
03/15/2005	Fee Worksheet (PTO-875)	PROSECUTION	1	
03/14/2005	Power of Attorney (may include Associate POA)	PROSECUTION	1	
03/14/2005	Transmittal to TC	PROSECUTION	1	
01/28/2005	NPL Documents	PRIOR ART	12	
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01/19/2005	Examiner's search strategy and results	PROSECUTION	1	
01/14/2005	Amendment After Final	PROSECUTION	4	
01/14/2005	Fee Worksheet (PTO-875)	PROSECUTION	1	
01/14/2005	Claims Worksheet (PTO-2022)	PROSECUTION	1	
01/14/2005	Fee Worksheet (PTO-875)	PROSECUTION	1	



01/14/2005	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION	3
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05/18/2004	NPL Documents	PRIOR ART	2
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05/14/2004	Claims	PROSECUTION	16
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01/02/2004	Foreign Reference	PRIOR ART	115
01/02/2004	Foreign Reference	PRIOR ART	23



01/02/2004	List of references cited by examiner	PRIOR ART	2
01/02/2004	List of References cited by applicant and considered by examiner	PRIOR ART	12
01/02/2004	Search information including classification, databases and other search related notes	PRIOR ART	1
12/22/2003	Examiner's search strategy and results	PROSECUTION	1
12/19/2003	Examiner's search strategy and results	PROSECUTION	3
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03/25/2003	Requirement for Restriction/Election	PROSECUTION	5
04/29/2002	Notice of DO/EO Acceptance Mailed	PROSECUTION	2
11/16/2001	CRF Sequence Listing Filed	PROSECUTION	6
11/13/2001	Applicant Arguments or Remarks Made in an Amendment	PROSECUTION	8
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10/11/2001	Notice of DO/EO Missing Requirements Mailed	PROSECUTION	2
08/30/2001	CRF Sequence Listing Filed	PROSECUTION	8
06/25/2001	CRF Sequence Listing Filed	PROSECUTION	2
06/25/2001	Sequence Listing	PROSECUTION	43



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05/29/2001	Miscellaneous Incoming Letter	PROSECUTION	2
05/29/2001	Information Disclosure Statement (IDS) Filed	PROSECUTION	6
05/29/2001	Foreign Reference	PRIOR ART	68
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04/30/2001	Miscellaneous Incoming Letter	AS FILED	270
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04/30/2001	NPL Documents	PRIOR ART	8
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04/30/2001	NPL Documents	PRIOR ART	8



PAIR: JUN. 24. 2005 4:26PM

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04/30/2001	NPL Documents	PRIOR ART	9
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